

Standard Hazard Determination (Flood Hazards) Instructions

Section I

2. Lender ID. No.: FDIC-ensured lenders should indicate their FDIC Insurance Certificate Number; Federally-insured credit unions should indicate their charter/insurance number; Farm Credit institutions should indicate their UNINUM number.

5. The lender should attach legal property description only if space provided is insufficient. Describe the property in sufficient detail to locate the specific building or mobile home accurately; a postal address in a rural area may be sufficient.

Section II

A. Determination: Self-explanatory.

B. Community Jurisdiction. The 6-digit National Flood Insurance Program (NFIP) community number can be determined by consulting the NFIP Community Status Book or can be found on the NFIP map; copies of either can be obtained by calling 1-800-xxx-xxxx. For areas that may have been annexed by one community but are shown on another community's NFIP map, the Community Number for the community with land-use jurisdiction over the area should be used.

C. NFIP Data Affecting Building/Mobile Home. The information in this section (excluding the LOMA/LOMR information) is obtained by reviewing the NFIP map on which the building/mobile home is located. If no NFIP map exists, check the box under "No NFIP Map".

NFIP Maps. The current NFIP map, and a pamphlet titled "Guide to Flood Maps" (FEMA-258) may be obtained by calling 1-800-xxx-xxxx.

LOMAs and LOMRs. If a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) has been issued by FEMA since the current Map Panel Effective/Revised Date that revises the flood hazards affecting the building or mobile home, check "yes" and specify the date of the letter; otherwise, check "no". Information on LOMAs and LOMRs is available from the following sources:

1. The community's official copy of its NFIP map should have a copy of all subsequently-issued LOMAs and LOMRs attached to it.

2. For LOMAs and LOMRs issued on or after October 1, 1994, FEMA publishes a list of these letters twice a year as a compendium in the **Federal Register**; a subscription service providing actual copies of these letters semi-monthly is also available. To inquire about these two services, all 1-800-xxx-xxxx.

3. Information about most LOMAs and LOMRs issued since 1983 nationwide is contained in FEMA's Community Information System. An electronic listing may be requested, and may be limited to specific communities or states, if desired. For information on this service, call 1-800-xxx-xxxx.

D. Federal Flood Insurance Availability. To obtain Federal flood insurance, provide a copy of this completed form to an insurance agent. Federal flood insurance is available to all residents of a community that participates

in the NFIP. Community participation status can be determined by consulting the NFIP Community Status Book. Federal flood insurance is prohibited in designed Coastal Barrier Resources Areas (CBRAs) for buildings or mobile homes built or substantially improved after the date of the CBRA designation. An information sheet explaining CBRAs may be obtained by calling 1-800-xxx-xxxx.

E. Comments. This form only requires a determination regarding a single building's or mobile home's relation to a specific Flood Hazard Area. If the person making the determination wishes to add additional information regarding flood hazards (such as the property's location with respect to floodways, etc.), he or she may do here.

F. Preparer's Information. Self-explanatory.

Other Information

Multiple Buildings. Use a separate form for each building or mobile home. A separate flood insurance policy is required for each building or mobile home.

Guarantees regarding information. Determinations on this form made by persons other than the lender are acceptable only to the extent that the accuracy of the information is guaranteed.

Dated: March 30, 1995.

Richard T. Moore,

Associate Director for Mitigation.

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BILLING CODE 6718-03-P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

45 CFR Part 2544

Solicitation and Acceptance of Donated Property and Services

AGENCY: Corporation for National and Community Service.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Corporation for National Service (the Corporation) is issuing uniform rules and regulations regarding the solicitation and acceptance or rejection of property and services. Pursuant to the National and Community Service Act of 1990, as amended, the Corporation has the authority to solicit and accept donations. The Corporation is adopting these rules and regulations to eliminate the possibility of confusion for individuals who wish to donate property or services to the Corporation. In addition, the Corporation wants to insure that no situations arise involving a real or apparent conflict of interest with respect to a donation or an individual or group who offers a donation.

DATES: Comments on the proposed regulations must be received no later than May 8, 1995.

ADDRESSES: All comments concerning these proposed regulations should be addressed to Stewart Davis, Office of the General Counsel, The Corporation for National Service, 1201 New York Ave., N.W., Washington D.C., 20525

FOR FURTHER INFORMATION CONTACT: Stewart Davis, Office of the General Counsel, The Corporation for National Service, 1201 New York Ave., N.W., Washington D.C., 20525. (202) 606-5000 x. 265.

SUPPLEMENTARY INFORMATION:

Invitation to Comment

The Corporation invites written comments on the text of the proposed regulations and requests that the comments identify the specific regulatory provisions to which they relate.

Miscellaneous Requirements

The Corporation has determined that this is not a "significant regulatory action" within the meaning of Executive Order 12866 and accordingly this rule has not been reviewed by the Office of Management and Budget. This rule will not have a substantial impact on a significant number of small entities, thus a regulatory flexibility analysis has not been prepared pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* Because this rule does not involve collection of information or impose record keeping requirements, the Paperwork Reduction Act of 1980 does not apply. The agency has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment pursuant to Executive Order 12612. In addition, the Agency has determined that implementation of this action will not have any significant impact on the quality of the human environment pursuant to the National Environmental Policy Act.

List of Subjects in 45 CFR Part 2544

Administrative practice and procedure, Gifts to government, Government property.

Dated: April 3, 1995.

Terry Russell,

General Counsel, Corporation for National Service.

Accordingly, as set forth in the preamble, the Corporation proposes to amend title 45, chapter XXV of the Code of Federal Regulations by adding part 2544 to read as follows:

PART 2544—SOLICITATION AND ACCEPTANCE OF DONATIONS

Sec.

- 2544.100 What is the purpose of this part?
 2544.105 What is the legal authority for soliciting and accepting donations to the Corporation?
 2544.110 What definitions apply to terms used in this part?
 2544.115 Who may offer a donation?
 2544.120 What personal services from a volunteer may be solicited and accepted?
 2544.125 Who has the authority to solicit and accept or reject a donation?
 2544.130 How will the Corporation determine whether to solicit or accept a donation?
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 2544.140 How will the Corporation accept or reject an offer?
 2544.145 What will be done with property that is not accepted?
 2544.150 How will accepted donations be recorded and used?

Authority: 42 U.S.C. 12501 *et seq.*

§ 2544.100 What is the purpose of this part?

This part establishes rules to ensure that the solicitation, acceptance, holding, administration, and use of property and services donated to the Corporation:

- (a) Will not reflect unfavorably upon the ability of the Corporation or its officers and employees, to carry out their official duties and responsibilities in a fair and objective manner; and
- (b) Will not compromise the integrity of the Corporation's programs or its officers and employees involved in such programs.

§ 2544.105 What is the legal authority for soliciting and accepting donations to the Corporation?

Section 196(a) of the National and Community Service Act of 1990, as amended (42 U.S.C. 12651g(a)).

§ 2544.110 What definitions apply to terms used in this part?

- (a) *Donation* means a transfer of money, property, or services to or for the use of the Corporation by gift, devise, bequest, or other means.
- (b) *Solicitation* means a request for a donation.
- (c) *Volunteer* means an individual who donates his/her personal service to the Corporation to assist the Corporation in carrying out its duties under the national service laws, but who is not a participant in a program funded or sponsored by the Corporation under the National and Community Service Act of 1990, as amended. Such individual is not subject to provisions of law related to Federal employment, including those relating to hours of work, rates of

compensation, leave, unemployment compensation and Federal employee benefits, except that—

- (1) Volunteers will be considered Federal employees for the purpose of the tort claims provisions of 28 U.S.C. chapter 171;
 - (2) Volunteers will be considered Federal employees for the purposes of 5 U.S.C. chapter 81, subchapter I, relating to compensation to Federal employees for work injuries; and
 - (3) Volunteers will be considered special Government employees for the purpose of ethics and public integrity under the provisions of 18 U.S.C. chapter 11, part I, and 5 CFR chapter XVI, subchapter B.
- (d) *Inherently governmental function* means any activity that is so intimately related to the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of value judgment in making a decision for the Government.

§ 2544.115 Who may offer a donation?

Anyone, including an individual, group of individuals, organization, corporation, or association may offer a donation to the Corporation.

§ 2544.120 What personal services from a volunteer may be solicited and accepted?

A donation in the form of personal services from a volunteer may be solicited and accepted to assist the Corporation in carrying out its duties. However, volunteers may not perform an inherently governmental function.

§ 2544.125 Who has the authority to solicit and accept or reject a donation?

The Chief Executive Officer (CEO) of the Corporation has the authority to solicit, accept, or reject a donation offered to the Corporation and to make the determinations described in § 2544.130 (c) and (d). The CEO may delegate this authority in writing to other officials of the Corporation.

§ 2544.130 How will the Corporation determine whether to solicit or accept a donation?

- (a) The Corporation will solicit and accept a donation only for the purpose of furthering the mission and goals of the Corporation.
- (b) In order to be accepted, the donation must be economically advantageous to the Corporation, considering foreseeable expenditures for matters such as storage, transportation, maintenance, and distribution.
- (c) An official or employee of the Corporation will not solicit or accept a

donation if the solicitation or acceptance would present a real or apparent conflict of interest. An apparent conflict of interest is presented if the solicitation or acceptance would raise a question in the mind of a reasonable person, with knowledge of the relevant facts, about the integrity of the Corporation's programs or operations.

(d) The Corporation will determine whether a conflict of interest exists by considering any business relationship, financial interest, litigation, or other factors that may indicate such a conflict. Donations of property or voluntary services may not be solicited or accepted from a source which:

- (1) Is a party to a grant or contract with the Corporation or is seeking to do business with the Corporation;
 - (2) Has pecuniary interests that may be substantially affected by performance or nonperformance of the Corporation; or
 - (3) Is an organization a majority of whose members are described in paragraphs (d) (1) and (2) of this section.
- (e) Any solicitation or offer of a donation that raises a question or concern of a potential, real, or apparent conflict of interest will be forwarded to the Corporation's Designated Ethics Official for an opinion.

§ 2544.135 How should an offer of a donation be made?

(a) In general, an offer of donation should be made by providing a letter of tender that offers a donation. The letter should be directed to an official authorized to accept donations, describe the property or service offered, and specify any purpose for, or condition on, the use of the donation.

(b) If an offer is made orally, the Corporation will send a letter of acknowledgment to the offeror. If the donor is anonymous, the Corporation will prepare a memorandum to the file acknowledging receipt of a tendered donation and describing the donation including any special terms or conditions.

(c) Only those employees or officials with expressed notice of authority may accept donations on behalf of the Corporation. If an offer is directed to an unauthorized employee or official of the Corporation, that person must immediately forward the offer to an appropriate official for disposition.

§ 2544.140 How will the Corporation accept or reject an offer?

(a) In general, the Corporation will respond to an offer of a donation in writing and include in the response:

- (1) An acknowledgment of receipt of the offer;

(2) A brief description of the offer and any purpose or condition that the offeror specified for the use of the donation;

(3) A statement either accepting or rejecting the donation; and

(4) A statement informing the donor that any acceptance of services or property can not be used in any manner, directly or indirectly, that endorses the donor's products or services or appears to benefit the financial interests or business goals of the donor.

(b) If a purpose or condition for the use of the donation specified by the offeror can not be accommodated, the Corporation may request the offeror to modify the terms of the donation.

§ 2544.145 What will be done with property that is not accepted?

In general, property offered to the Corporation but not accepted will be returned to the offeror. If the offeror is unknown or the donation would spoil if returned, the property will either be disposed of in accordance with Federal Property Management regulations or given to local charities determined by the Corporation.

§ 2544.150 How will accepted donations be recorded and used?

(a) All accepted donations of money and other property will be reported to the Chief Financial Officer (CFO) of the Corporation for recording and appropriate disposition.

(b) All donations of personal services of a volunteer will be reported to the CFO and to the Personnel Division of the Corporation for processing and documentation.

(c) Donations not designated for a particular purpose will be used for an authorized purpose described in § 2544.125(a).

(d) Property will be used as nearly as possible in accordance with the terms of the donation. If no terms are specified, or the property can no longer be used for its original purpose, the property will be converted to another authorized use or sold in accordance with Federal regulations. The proceeds of the sale will be used for an authorized purpose described in § 2544.125(a).

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Chapter II

[Docket No. R-159]

Presidential Review of Regulations

AGENCY: Maritime Administration, DOT.

ACTION: Notice of public meetings; request for comments.

SUMMARY: The Maritime Administration (MARAD) will conduct two public meetings, in New Orleans, Louisiana, and Norfolk, Virginia, to provide the public an opportunity to comment on MARAD's regulations and regulatory process. Comments are sought concerning proposed changes to MARAD's regulations that would make them more precise, less burdensome or more flexible.

DATES: The meeting in New Orleans will be held on April 26, 1995, from 1:00 p.m. to 4:00 p.m. The meeting in Norfolk will be held on April 27, 1995, from 1:00 p.m. to 4:00 p.m. Written material may be submitted either at the meeting or at a later date. Anyone wishing to submit material prior to either meeting, for discussion at that meeting, should deliver that material to MARAD no later than three days before the meeting. Written comments must, in any event, be submitted not later than April 27, 1995.

ADDRESSES: The New Orleans, Louisiana, meeting will be held in the Elmwood Tower, Room 115, Elmwood Park Boulevard, Jefferson, LA. The Norfolk, Virginia, meeting will be held in the Virginia Port Authority, Board Room, 600 World Trade Center, 6th Floor. Written comments may be mailed to the Secretary, Maritime Administration, Department of Transportation, Room 7210, 400 7th Street, S.W., Washington, DC 20590, or may be delivered to the same address between 8:30 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. Comments will become part of this Docket and will be available for inspection or copying at the above address during the specified time period.

FOR FURTHER INFORMATION CONTACT: Joan M. Bandareff, Chief Counsel, Maritime Administration, Department of Transportation, Room 7230, 400 7th Street, S.W., Washington, DC 20590. Telephone Number: (202) 366-5711.

SUPPLEMENTARY INFORMATION: The President recently announced a Regulatory Reinvention initiative. Under this initiative, agencies are

directed to review their regulations, improve their enforcement efforts to focus on results, not punishment; meet with the people affected by their regulations; and substantially increase their efforts to promote consensual rulemaking.

In reviewing its existing regulations, MARAD will be focusing primarily on regulations implementing the administration of its financial assistance and other promotional programs to identify those that may be obsolete, require clarification or should be revised to reduce the economic impact on the affected public, while allowing MARAD to effectuate the intended purpose of the programs in the most efficient manner. Attendance at each meeting is open to the public, who may make oral presentations during the meeting.

Dated: April 4, 1995.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 95-8663 Filed 4-6-95; 8:45 am]

BILLING CODE 4910-81-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 63

[CC Docket No. 87-266; FCC 94-269]

Telephone Company-Cable Television Cross-Ownership Rules

AGENCY: Federal Communications Commission.

ACTION: Public Notice seeking comment in connection with the Fourth Further Notice of Proposed Rulemaking.

SUMMARY: In a Public Notice in Common Carrier Docket 87-266, the Common Carrier Bureau and the Cable Services Bureau requested information and comment on the possible grant of blanket Section 214 authorizations.

DATES: Comments must be submitted on or before April 21, 1995. Reply comments are due on May 1, 1995.

ADDRESSES: Comments and reply comments may be mailed to the Office of the Secretary, Federal Communications Commission, 1919 M Street NW., Washington, D.C. 20554. A copy of each filing should also be filed with Peggy Reitzel of the Common Carrier Bureau, and James Yancey of the Cable Services Bureau.

FOR FURTHER INFORMATION CONTACT: Mindy J. Ginsburg, (202) 418-1591, Common Carrier Bureau, Policy and Program Planning Division, and Larry